

SUNSHINE REFORM TASK FORCE MEETING MINUTES

**Thursday, December 7, 2006
6:00pm – 8:30pm**

City Hall W-118

Present: Ed Rast, Strong Neighborhoods Initiative PAC; Ken Podgorsek, United Neighborhoods of SCC; Virginia Holtz, Willow Glen Neighborhood Assoc.; Joan Rivas-Cosby, Five Wounds/Brookwood Terrace Neighborhood Advisory Committee; Margie Matthews, Former Councilmember; Dan Pulcrano, Silicon Valley Leadership Group; Bob Brownstein, South Bay Labor Council; Susan Goldberg, San Jose Mercury News; Dave Zenker, Falls Creek Neighborhood Association; Nanci Williams, San Jose/Silicon Valley Chamber of Commerce; Edward Davis, Orrick Law Firm (Legal Counsel).

Absent: Brenda Otey, At Large-Representative; Mary Ann Ruiz, Parks and Recreation Commission; Karl Hoffower, Citizens Commission on Human Rights; Judy Nadler, Markkula Center for Applied Ethics.

Staff: Lisa Herrick, Senior Deputy City Attorney; Rosa Tsongtaatarii, Deputy City Attorney; Dan McFadden, Interim Deputy City Manager; Eva Terrazas, Office of the City Manager/Redevelopment Agency; Sheila Tucker, Office of the City Manager; Tom Manheim, Office of the City Manager.

I. Approval of Meeting Minutes

A. 11/16/06 Meeting Minutes

Virginia Holtz corrected a motion under Item V of the minutes. The motion should read “5 calendar days”, rather than “3 calendar days.”

Upon a motion made by Ken Podgorsek, seconded by Virginia Holtz, the November 2, 2006 minutes were approved as amended.

B. Approval of 11/18/06 Meeting Minutes

Dan Pulcrano requested the term “endorsed” be changed to “recommended” in Item III throughout.

Upon a motion made by Bobbie Fischler, seconded by Ken Podgorsek, the November 18, 2006 minutes were approved as amended.

II. Comments from Chair

Chair Rast announced Mary Ann Ruiz, Parks and Recreation Commissioner, as the new member to the Task Force filling the Board and Commission seat.

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III. Review of Meeting Material

Staff provided an overview of the documents for the meeting.

IV. Discussion on *Public Meetings* Category (*Continued from 11/18/06*)

A. Definitions

1. There was significant interest in revising Item 10 “Policy body”, Section E. The Task Force agreed that the language is confusing.
2. Remove “primarily” from Section E.2 to eliminate broadness.
3. Delete “either” from Section E, “A broad or other multimember body that governs a private corporation, limited liability company, or other entity that either...”

Upon a motion made by Dan Pulcrano, seconded by Bobbie Fischler, the Task Force agreed to strike “primarily” from Item 10 “Policy Body”, Section E.2, and delete “either” from Item 10 “Policy Body”, Section E; including an additional amendment by Bob Brownstein with details to be determined with some exceptions based on scale and function.

Action Item: Bob Brownstein will provide draft language that provides exceptions based on scale and function for the Task Force’s discussion.

B. Other Provisions for *Public Meetings*

No discussion of this item.

V. Report to Council on Reed Reforms

The Task Force reviewed the Reed Reforms and took the following action:

- A. Fourteen reforms were accepted with either: 1) additional recommendations forthcoming as part of the Task Force’s overall work plan, or 2) a recommendation to continue or proceed with implementation.
- B. Two reforms were referred to the City’s Elections Commission.
- C. Two reforms were deferred pending additional analysis and discussion.

Staff proposed to submit a comprehensive report to Council in early 2007 on the outcome of the pilot program and additional Task Force recommendations on the original reforms referred to staff for implementation.

VI. Upcoming Agenda and Work Plan

Chair Rast requested volunteers to lead work plan categories that did not have leads. Task Force members Susan Goldberg and Ken Podgorsek volunteered to lead *Public Records*,

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Dan Pulcrano volunteered to lead *Technology* and Task Force member Dave Zenker agreed to lead *Ethics and Conduct*. If willing, Judy Nadler was also recommended as a co-lead on *Ethics and Conduct*. *Bob Brownstein will also lead the discussion on budget.*

The Task Force agreed to cancel the December 21, 2006 meeting; therefore, the next meeting will take place on January 4, 2007.

VII. Public Comment

Public Comment: Sanjeev Bery, San Jose Director of the ACLU, northern California, suggested having public comment during a discussion, instead of having public comment at the end of a discussion. Mr. Bery also expressed his interest in public records.

Upon a motion by Margie Matthews, seconded by Ken Podgorsek, the Task Force agreed to adjourn the meeting.

The meeting adjourned at 8:26 p.m.